

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 15-00369-CR-W-DGK
)	
LAMONT E. OWENS,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on July 5, 2017. Defendant Owens appeared in person and with appointed counsel Allison English. The United States of America appeared by Assistant United States Attorney Stefan Hughes.

I. BACKGROUND

On August 31, 2016, a superseding indictment was returned charging Defendant with one count of possession with the intent to distribute cocaine base, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), one count of possessing firearms in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i), one count of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(9) and 924(e)(1), and one count of distribution of cocaine base, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Hughes announced that he and Kim Moore, Special Assistant United States Attorney,

will be the trial counsel for the government. The case agent to be seated at counsel table is Detective Brent Cartwright, KCPD.

Ms. English announced that Carie Allen will be the lead trial counsel for Defendant Owens; Ms. English will assist.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Hughes announced that the government intends to call 13 witnesses without stipulations or 11 witnesses with stipulations during the trial.

Ms. English announced that Defendant Owens does not intend to call any witnesses during the trial. Defendant may testify.

V. TRIAL EXHIBITS

Mr. Hughes announced that the government will offer approximately 54 exhibits in evidence during the trial.

Ms. English announced that Defendant Owens will not offer any exhibits in evidence during the trial.

VI. RULE 404(b) EVIDENCE

Mr. Hughes announced that the government will not offer 404(b) or res gestae evidence during the trial.

Ms. English announced that Defendant Owens will not offer 404(b) or res gestae evidence during the trial.

VII. DEFENSES

Ms. English announced that Defendant Owens will rely on the defense of general denial.

VIII. POSSIBLE DISPOSITION

Ms. English stated this case is definitely for trial.

Mr. Hughes stated the government had not proposed a plea agreement to the defendant.

IX. STIPULATIONS

Stipulations are likely as to chain of custody, chemist's reports, the defendant's prior felony conviction and the interstate nexus of the firearm.

TRIAL TIME

Counsel were in agreement that this case will take 3 days to try.

XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed December 13, 2016, counsel for each party file and serve a list of exhibits he/she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by July 5, 2017;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, July 12, 2017;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, July 12, 2017. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That counsel for each party file all signed stipulations by or before noon, Wednesday, July 12, 2017;

That seven days before the trial date as reflected in the forthcoming trial letter, if there is not a scheduled change-of-plea hearing, the parties shall make available for the opposing party to inspect, copy or photograph (1) all premarked trial exhibits, (2) any written statements that will be used at trial, and (3) Rule 404(b) and res gestae evidence to be offered at trial.

XII. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XIII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on July 17, 2017. Both parties are requesting the second week of the docket.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
July 5, 2017
cc: Mr. Kevin Lyon